

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

<p>HANGZHOU QIANMAI ELECTRONIC COMMERCE CO., LTD. d/b/a YNM,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>BEARABY INC. and SOMNOS, LLC d/b/a BEARABY, LLC,</p> <p style="text-align: center;">Defendants.</p>	<p>Civil Action No. 1:24-cv-00958-CFC</p> <p style="text-align: center;">DEFENDANTS’ PARTIAL MOTION TO DISMISS</p>
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Pursuant to Federal Rule of Civil Procedure 12(b)(1), Defendants Bearaby, Inc. and Somnos, LLC hereby move to dismiss Count I of the Complaint filed by Plaintiff Plaintiff Hangzhou Qianmai Electronic Commerce Co., Ltd. (“YNM”). Defendants further state that Count I of the Complaint does not present a case or controversy sufficient to establish subject-matter jurisdiction because Defendants have not accused YNM of infringing U.S. Patent No. 10,835,708, the subject of YNM’s declaratory judgment claim. Defendants refer and incorporate the arguments set forth in the Brief in Support of the Motion attached herewith.

WHEREFORE, Defendants Bearaby, Inc. and Somnos, LLC respectfully request that this Court **grant** this Motion and **dismiss** Count I of the Complaint filed by Plaintiff Hangzhou Qianmai Electronic Commerce Co., Ltd., with prejudice.

Dated: October 17, 2024

Respectfully submitted,

/s/ Richard C. Weinblatt

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